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*Attorneys for Defendant/Third-Party Plaintiff
Sam's West, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DEVRA HANEY-WILLIAMS,

Plaintiff,

v.

SAM'S WEST INC., dba SAM'S PHARMACY
#10-4974,

Defendants.

Case No.: 2:17-cv-02900-JCM-EJY

**STIPULATION AND ORDER
EXTENDING TIME TO FILE OPPOSITION
AND REPLY BRIEFS TO ALL PENDING
MOTIONS [ECF NOS. 135, 136, 137, 138,
139]**

[FIRST REQUEST]

SAM'S WEST INC.,

Third-Party Plaintiff,

v.

JUBILANT CADISTA
PHARMACEUTICALS, INC., and DOES 1-10,
inclusive,

Third-Party Defendants.

Plaintiff DEVRA HANEY-WILLIAMS (hereinafter "Plaintiff"), Defendant/Third-Party Plaintiff SAM'S WEST, INC. (hereinafter "Sam's West"), and Third-Party Plaintiff JUBILANT CADISTA PHARMACEUTICALS, INC. (hereinafter "Jubilant") (collectively, "the Parties"), by and through their respective counsel of record, do hereby stipulate and jointly request that the court approve extensions of time for the parties to file Opposition and Reply Briefing with respect to the following motions currently pending before this Court:

- (1) Third-Party Defendant Jubilant Cadista Pharmaceuticals Inc.'s Motion For Summary Judgment [ECF No. 135] – Response due **October 29, 2021**
- (2) Defendant Sam's West, Inc.'s Motion For Summary Judgment On The First Amended Complaint Filed By Plaintiff Devra Haney-Williams [ECF No. 136] – Response due **October 29, 2021**
- (3) Defendant Sam's West, Inc.'s Motion to Exclude Plaintiff's Untimely Disclosure of Expert Christopher Milford M.D. Pursuant to FRCP 37(c)(1) [ECF No. 137] – Response due **October 22, 2021**
- (4) Plaintiff's Motion To Strike Defendant's Expert Neal L. Benowitz, M.D. [ECF No. 138]– Response due **October 22, 2021**
- (5) Plaintiff's Motion for Summary Judgment [ECF No. 139] – Response due **October 29, 2021**

Due to the trial schedules of counsel as well as the upcoming Thanksgiving holiday, the parties stipulate that the deadlines for filing Oppositions to the above-referenced Motions (ECF Nos. 135, 136, 137, 138, and 139) shall be extended up to and through December 3, 2021. The parties further stipulate that the deadline for filing Reply briefs in support of the above-referenced Motions (ECF Nos. 135, 136, 137, 138, and 139) shall be extended up to and through December 17, 2021. The parties aver that this is the first stipulation for an extension of time with respect to these Motions, that the requested extension will not alter any date previously set by the Court in this matter, and this request is made in good faith and not for purposes of delay.

IT IS HEREBY STIPULATED AND AGREED as follows:

- (1) Sam's West's Opposition to Jubilant's Motion for Summary Judgment [ECF No. 135] shall be due **December 3, 2021**;
- (2) Jubilant's Reply Brief in support of their Motion for Summary Judgment [ECF No. 135] shall be due **December 17, 2021**;
- (3) Plaintiff's Opposition to Sam's West's Motion for Summary Judgment [ECF No. 136] shall be due **December 3, 2021**;

- (4) Sam's West's Reply Brief in support of their Motion for Summary Judgment [ECF No. 136] shall be due **December 17, 2021**;
- (5) Plaintiff's Opposition to Sam's West's Motion to Exclude Plaintiff's Untimely Disclosure of Expert Christopher Milford M.D. Pursuant to FRCP 37(c)(1) [ECF No. 137] shall be due **December 3, 2021**;
- (6) Sam's West's Reply in Support of their Motion to Exclude Plaintiff's Untimely Disclosure of Expert Christopher Milford M.D. Pursuant to FRCP 37(c)(1) [ECF No. 137] shall be due **December 17, 2021**;
- (7) Sam's West's Opposition to Plaintiff's Motion To Strike Defendant's Expert Neal L. Benowitz, M.D. [ECF No. 138] shall be due **December 3, 2021**;
- (8) Plaintiff's Reply Brief in Support of Motion to Strike Defendant's Expert Neal L. Benowitz, M.D. [ECF No. 138] shall be due **December 17, 2021**;
- (9) Sam's West's Opposition to Plaintiff's Motion for Summary Judgment [ECF No. 139] shall be due **December 3, 2021**;

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(10) Plaintiff's Reply Brief in support of her Motion for Summary Judgment [ECF No. 139]
shall be due **December 17, 2021**.

IT IS SO AGREED AND STIPULATED.

Dated: October 20, 2021
PHILLIPS, SPALLAS & ANGSTADT LLC

/s/ Alyce W. Foshee

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*Attorneys for Defendant/Third-Party Plaintiff
Sam's West, Inc.*

Dated: October 20, 2021
STOVALL & ASSOCIATES

/s/ Ross Moynihan

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Devra Haney-Williams*

IT IS SO ORDERED.

Dated: October 20, 2021
MORRISON MAHONEY LLP

/s/ Arthur J. Liederman

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Cadista Pharmaceuticals, Inc.*


Hon. James C. Mahan
UNITED STATES DISTRICT JUDGE

DATE: October 22, 2021

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of October 2021, I served a true and correct copy of the foregoing, **STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO FILE OPPOSITION AND REPLY BRIEFS TO ALL PENDING MOTIONS [ECF NOS. 135, 136, 137, 138, 139]**, as follows:

☐ By facsimile addressed to the following counsel of record, at the address listed below;

☐ By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

☐ By Hand Delivery (ROC); and/or

☒ By Electronic Service through CM/ECF to:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
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/s/ Alyce Foshee

An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC